

FILED
Clerk
District Court

SEP - 6 2007

For The Northern Mariana Islands
By _____
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

JOHN S. PANGELINAN

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

Case No. CV-07-0027

**ORDER DENYING
MOTION UNDER 28 U.S.C. § 2255**

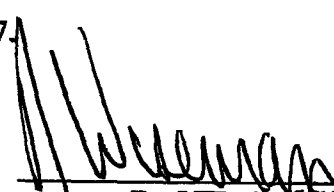
THIS MATTER came before the court on August 22, 2007, on petitioner's motion under 28 U.S.C. § 2255 to vacate, set aside, or correct sentence by a person in federal custody.

THE COURT, having considered the petitioner's arguments and having reviewed the record, **DENIES WITHOUT PREJUDICE** the petitioner's motion for lack of subject matter jurisdiction. *See* Pangelinan v. United States, CV-07-0025, Order Denying Motion Under 28 U.S.C. § 2255, No. 2 (July 27, 2007).

IT IS FURTHER ORDERED that the Clerk of Court shall not file any § 2255 motion from the petitioner until the pending appeal is final.

IT IS SO ORDERED.

DATED this 24 day of August, 2007.



DAVID A. WISEMAN
U.S. District Court Designated Judge